

that clause related to appearances in certain cases in Baltimore City.

Paragraph (1)(iii) of this subsection is new language added in light of the body of case law holding that the judiciary has the power to define the practice of law. See Public Service Commission v. Hahn Transportation, Inc., 253 Md. 571, 583 (1969). See also In re Application of Mark W., 303 Md. 1, 8 (1985); Attorney General v. Waldron, 289 Md. 683, 692 (1980); Lukas v. Bar Association of Montgomery County, 35 Md. App. 442, 447, cert. denied, 280 Md. 733 (1977); and 61 Op. Att'y Gen. 282, 285 (1976).

Paragraph (2)(iii) and (iv) of this subsection is new language derived without substantive change from the first sentence of former Art. 10, § 30, as that sentence related to activities constituting the practice of law. Although, on its face, the first sentence of former § 30 prohibited certain employees of Prince George's County from performing certain acts, the provisions of the sentence are included as part of the definition of "practice law" since former § 30 stated that the enumerated acts "shall be deemed to be practicing law". Further, paragraph (2)(iii) and (iv) of this subsection is illustrative of the general language in paragraph (1) of this subsection.

In paragraphs (1) and (2)(iii) and (iv) of this subsection, the former references to "for pay or reward" and "whether for any fee, gratuity, gift or reward or not" are deleted as unnecessary since the practice of law does not necessarily include the notion of compensation. In Ginn v. Farley, 43 Md. App. 229, cert. denied, 286 Md. 747 (1979), the Court of Special Appeals determined that a lay person, by engaging in certain conduct, was practicing law in violation of Art. 10. The Court specifically noted that the fact that the lay person received no compensation for her activities did not take her conduct outside the ambit of the prohibition against lay persons practicing law.

In paragraph (1)(ii) of this subsection, the reference to representing a person "before a unit of the State government or of a political subdivision" is substituted for the former, narrower reference to representing a person "in the trial of any case ... including the trial of any case before the District Court or any proceedings ... in orphans' courts". This substitution conforms this subsection to former Art. 10, §§ 7(b) and 32(b)(1) -- now §§ 10-215 and 10-206(d) of this title, respectively -- which